



JUDICIAL STANDARDS COMMISSION
STATE OF NORTH CAROLINA

FORMAL ADVISORY OPINION: 2010-07

July 9, 2010

QUESTION:

May a judge sponsor or consent to being listed as a sponsor of a fund raising event?

COMMISSION CONCLUSION:

The Judicial Standards Commission reasoned that a judge may not sponsor nor consent to being listed as a “sponsor” or “host” of a fund raising event for any organization or individual, other than the judge’s own judicial election campaign or a joint judicial election campaign in which the judge participates.

DISCUSSION:

Canon 2B of the Code of Judicial Conduct prohibits a judge from lending the prestige of the judge’s office to advance the private interests of others. Canons 4C and 5B(2) both prohibit a judge from active assistance in raising funds for quasi-judicial and non-judicial organizations, but allow a judge to be listed as a contributor on an invitation to a fund raising event. Canon 7C(1) of the Code prohibits a judge from soliciting funds for a political party, organization or individual seeking election to office, except as permitted by Canons 7B(2) and 7B(4) which allow for solicitation of donations for a judge’s own judicial election campaign or a joint judicial election campaign in which the judge participates.

While a judge may make a donation to and attend a fund-raising event, the Commission considers "active assistance ... in raising funds" to include being listed as a “sponsor” or “host” of an event. Although the terms “sponsor” and “host” may be titles assigned to contributors who donate within an arbitrary monetary range, the Commission is of the opinion that the use of the terms contain connotations of being something more than a mere contributor. Those who “sponsor” or “host” an event publicly associate themselves with and promote the event or cause in an effort to encourage others to do likewise, thereby rendering such conduct inappropriate for a judicial official.

References:

North Carolina Code of Judicial Conduct
Canon 2B
Canon 4C
Canon 5B(2)
Canon 7B(2)
Canon 7C(1)